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 CO. LTD. (U.S. BRANCH)

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 Attorney for defendant:
 SK SHIPPING and SK SHIPPING CO. LTD.

**UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA**

TOKIO MARINE & NICHIDO FIRE
 CO. LTD. (U.S. BRANCH)

Plaintiff,

v.

M/V INDIGO OCEAN, her engines, tackle,
 machinery, appurtenances, etc., in rem; and SK
 SHIPPING; SK SHIPPING CO. LTD.; SHOEI
 KISEN KAISHA, LTD. in personam,

Defendants.

CASE NO.: C 12-0639 PJH

**NOTICE OF SETTLEMENT AND
 REQUEST FOR 45 DAY
 CONDITIONAL DISMISSAL;
 PROPOSED ORDER**

Case Management Conference Date:
 October 11, 2012 at 2:00 p.m.
 Trial Date: Not Yet Set

Judge: Hon. Phyllis J. Hamilton
 Courtroom: 3, 3rd Floor

NOTICE OF SETTLEMENT

TO THIS HONORABLE COURT AND TO ALL PARTIES AND THEIR ATTORNEYS OF
 RECORD:

PLEASE TAKE NOTICE THAT the above captioned parties have entered into a
 settlement of this matter on September 26, 2012. This settlement includes all parties and all

causes of action.

The Settlement will be concluded within 45 days

REQUEST FOR CONDITIONAL DISMISSAL

The parties request that the Court Order this case conditionally dismissed for 45 days from September 26, 2012 to November 10, 2012 (Saturday) in order to provide time for the parties to execute their release, fund the settlement and to conserve judicial resources.

The parties agree and request that if any party hereto certifies to this Court by November 12, 2012 (first Court day following expiration of 45 days), that the agreed consideration for said settlement has not been delivered over or the release signed, the Conditional Dismissal Order shall stand vacated and this action shall forthwith be restored to the calendar to be set for trial.

Dated: September 27, 2012

LAW OFFICES OF GEORGE W. NOWELL

By: /S/ PAUL B. ARENAS

PAUL B. ARENAS

Attorneys for plaintiff

TOKIO MARINE & NICHIDO FIRE
CO. LTD. (U.S. BRANCH)

Dated: September 27, 2012

KEESAL YOUNG & LOGAN

By: /S/ JENNIFER M. PORTER

JENNIFER M. PORTER, ESQ.

Attorneys for defendants

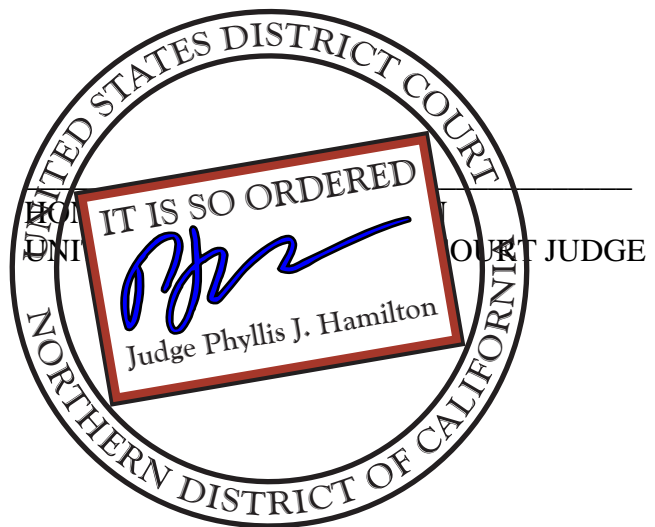
SK SHIPPING and SK SHIPPING CO. LTD.

[PROPOSED] ORDER

The Parties hereto, by their counsel, having advised the Court that they have agreed to a settlement of this action.

IT IS HEREBY ORDERED that this action is dismissed with prejudice; provided, however, that if any party hereto shall certify to this Court, with a proof of service of a copy on opposing counsel on or before November 12, 2012 (first Court day following 45 days from settlement), that the agreed consideration for the settlement has not been delivered over or the release signed; this Order shall stand vacated, and the action shall be restored to the calendar to be set for trial.

Dated: September 28, 2012



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